

Jay G. Foy, Mayor  
James Woods, Vice Mayor  
Jerry E. Beavers, Council Member  
Lawrence Gordon, Council Member  
Mark C. Uptegraph, Council Member  
John Fenn Foster, Town Attorney  
Janice C. Rutan, Town Administrator



**TOWN COUNCIL REGULAR MEETING**

**Town Hall Council Chambers**

**Thursday ~ November 14, 2013**

**7:00 p.m.**

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
  - a. Approval of the minutes for the October 1, 2013 workshop and October 24, 2013 Regular Meeting.
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
- X. FIRST READINGS AND REGULAR AGENDA**
  - a. RESOLUTION 2013-10 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL FLORIDA ADOPTING A POLICY RELATIVE TO PROPERTIES TO BE CONSIDERED AT RISK AND INCLUDED WITHIN A FLOOD ZONE PER FEMA FIRM; PROVIDING FOR AN EFFECTIVE DATE
  - b. Review of Staff's recommendation regarding the proposed use and occupancy of 1073 Military Trail as a retail deli, meat and produce store with onsite dining.
- XI. REPORTS**
  - Town Attorney
  - Mayor
  - Town Administrator
  - Committee/Delegate Report
  - Treasurer's Report (included in packet)
- XII. UNFINISHED BUSINESS**
- XIII. NEW BUSINESS**
- XIV. ADJOURNMENT**

Notice: If any person decides to appeal any decision of the Town Council at this meeting, he/she will need a record of the proceedings and for this purpose; he/she needs to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105. The Town of Haverhill does not prepare nor provide such verbatim record.

In accordance with the provisions of the American with disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting Janice C. Rutan, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

**TOWN COUNCIL REGULAR MEETING**  
**Town Hall Council Chambers**  
**Thursday ~ November 14, 2013**  
**7:00 p.m.**  
**OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, November 14, 2013 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; James E. Woods, Vice Mayor, Jerry Beavers, Council Member Lawrence Gordon, Council Member and Mark Uptegraph, Council Member. Also present were Town Attorney John Foster, Town Administrator Janice Rutan and Director of Public Services Roche.

**CALL TO ORDER**

Mayor Foy called the meeting to order at 7:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Foy offered the Invocation and led the Pledge of Allegiance.

**ROLL CALL**

The Town Administrator recorded all members present.

**COMMENTS FROM THE PUBLIC**

Commissioner Paulette Burdick addressed the Town Council. She extended holiday wishes to all. She addressed the officer who was present representing the Palm Beach County Sheriff's office and thanked all uniformed personnel specifically for their efforts to keep us all safe. She noted that she shared Haverhill with Commissioner Priscilla Taylor and that although she considered all of Haverhill as part of her district, she represented those west of Haverhill Road. Mayor Foy asked for her support is getting the FEMA FIRM maps corrected. She agreed, adding that she was aware of the issue and the efforts of the municipalities to provide additional information to FEMA.

Council thanked Commissioner Burdick for attending the meeting.

**APPROVAL OF AGENDA**

With no additions, deletions or substitutions, the agenda stood as presented.

**APPROVAL OF THE CONSENT AGENDA**

**Approval of the minutes for the September 26, 2013 and October 10, 2013 Regular Meetings.**

**A motion was made by Council Member Beavers, seconded by Council Member Gordon and unanimously passed (5-0) to approve the consent agenda as presented.**

**PROCLAMATIONS AND PRESENTATION**

None.

**COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**

Officer Gray was present at the Town Council meeting but had not received statistics to report on.

**SECOND READINGS AND PUBLIC HEARINGS**

None.

## **FIRST READINGS AND REGULAR AGENDA**

### **RESOLUTION 2013-10 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL FLORIDA ADOPTING A POLICY RELATIVE TO PROPERTIES TO BE CONSIDERED AT RISK AND INCLUDED WITHIN A FLOOD ZONE PER FEMA FIRM; PROVIDING FOR AN EFFECTIVE DATE**

The title was read by Attorney Foster. It was explained that this Resolution would affect only those properties where the flood waters were shown on the map to impact the dwelling.

**A motion was then made by Council Member Woods, seconded by Council Member Gordon and unanimously passed to adopt Resolution 2013-10 as presented.**

### **Review of Staff's recommendation regarding the proposed use and occupancy of 1073 Military Trail as a retail deli, meat and produce store with onsite dining.**

Josh Nichols (Jon Schmidt and Associates), Town Planner, presented Staff's report. He had prepared a memo providing Council options to address the retail sale of food with on-site consumption. The owners of "Sheila's Famous", Sam and Dana Johnson had addressed Council at their November workshop and asked Council to consider the use as an accessory use to their retail deli, food store. Mr. Nichols went over the memo in detail.

Attorney Foster added that although the Council could declare the on-site consumption of food as an accessory use to the retail food store, he warned of setting a precedent. Another option that he and Mr. Nichols discussed was to allow specialty restaurants as a permitted use in the C-1 Limited Commercial District.

**It was the general consensus of the Town Council to suggest that the applicant move forward with opening their retail food store and come to Council under separate cover for a special exception to have on site consumption of food.**

## **REPORTS**

### **Town Attorney**

Town Attorney Foster commented about an article he read forecasting the increase in flood insurance costs.

He reported that he had run into Joan McMichaels, wife of the former Mayor McMichaels who had passed away. Mrs. McMichaels was living in the Abacoa area of Jupiter.

### **Mayor**

Mayor Foy reported the Mayor's luncheon was scheduled for December 16, 2013 at the Town Hall.

### **Town Administrator**

The Town Administrator reported on a meeting she had attended earlier in the day hosted by the Office of Inspector General.

### **Committee/Delegate Report**

Mayor Foy reported on a meeting he had attended as a member of the Palm Beach County League of Cities Environmental Committee. Petroleum clean up through the installation of berms had been discussed.

He would be presenting the Town Council with a letter he had prepared for FEMA regarding the proposed flood maps. The Town was gathering all the finished floor elevations for those at risk properties in Town. He cautioned that even if a property was not considered "at risk", the mortgagor could require the homeowner to carry flood insurance.

Vice Mayor Woods reported on the very successful Halloween event. There were over 200 people in attendance.

Vice Mayor Woods reported that the November yard sale was being postponed to a date in January due to low participation.

Mayor Foy commented that the NPDES reports were due by the end of the year. Director of Public Services, Joseph Roche, responded that he was working with Engineer Karen Brandon of AECOM to meet the deadline.

Council Member Beavers reported that the regular Palm Beach County District II and III meeting would be combined with the Legislative Roundtable and would be held November 20, 2013 at the Atlantis Country Club at 10:00 a.m. and would be followed by the District lunch at noon.

He had attended an EOC Team meeting at the Palm Beach County Emergency Operations Center.

**Treasurer's Report**

Included in packet.

**UNFINISHED BUSINESS**

None.


**NEW BUSINESS**


None.

**ADJOURNMENT**

With no further business to come before the Town Council, the meeting adjourned at 7:40 p.m.

Approved: December 12, 2013

  
Janice C. Rutan, Town Administrator

  
Jay G. Foy, Mayor